

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION**

**BRIAN RAMSEY and  
CRYSTAL BARRERA, Individually and  
as Parents and Next Friend of their three  
Minor Children.**

Plaintiffs,

V.

SHAWN E. STEPHENSON, in his official  
and individual capacities;

PATRICK L. REYNOLDS, in his official  
and individual capacities;

JOE TREVINO, in his official capacity as  
Chief of Police for the City of Beeville,  
Texas;

CITY OF BEEVILLE, TEXAS:

Defendants.

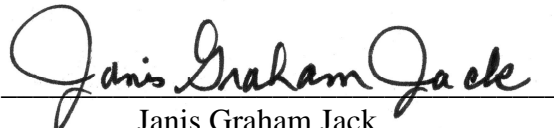
Civ. No. 2:09-cv-170

# ORDER

On September 4, 2009, the Court held an initial pre-trial conference in the above-styled action. At the conference, counsel for Plaintiffs confirmed that Plaintiff Brian Ramsey has pled guilty to criminal violations arising out of his arrest on July 14, 2007. As such, Plaintiff Ramsey is not entitled to assert claims for false arrest, false imprisonment, or malicious prosecution. Heck v. Humphrey, 512 U.S. 477, 486-87 (1994); see also Club Retro, L.L.C. v. Hilton, 568 F.3d 181, 204 n.18 (5th Cir. 2009); Ramming v. U.S., 281 F.3d 158, 162 (5th Cir. 2001). Counsel for Plaintiff agrees with this conclusion, and does not oppose dismissal of these claims.

Therefore, the Court hereby DISMISSES Plaintiff Ramsey's claims for False Arrest (Count III) (D.E. 1 ¶¶ 38-44), False Imprisonment (Count VIII) (D.E. 1 ¶¶ 69-70), and Malicious Prosecution (Count IX) (D.E. 1 ¶¶ 71-72).

SIGNED and ORDERED this 4th day of September, 2009.

  
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Janis Graham Jack  
United States District Judge